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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,763	08/01/2003	Toshihiro Shima	MIPFP044	5047
25920 7590 02/28/2007 MARTINE PENILLA & GENCARELLA, LLP 710 LAKEWAY DRIVE SUITE 200 SUNNYVALE, CA 94085			EXAMINER WHIPPLE, BRIAN P	
			ART UNIT 2152	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			02/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/632,763

Applicant(s)

SHIMA, TOSHIHIRO

Examiner

Brian P. Whipple

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/12/2004 and 07/05/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-16 are pending in this application and presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-9, 11, and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuda et al. (Matsuda), U.S. Publication No. 2002/0133573 A1.
4. As to claim 1, Matsuda discloses a network device that connects with an information processing device via a network, the information processing device storing setting information which is used for a preset control of the network device ([0065], ln. 2-5), said network device comprising:
 - a setting information memory module that is configured to store the setting information ([0066], ln. 12-17);
 - a receiver module that receives the setting information, which is mapped to predetermined identification information allocated to said network device, via the network from the information processing device ([0065], ln. 7-17; [0066], ln. 12-17); and

an update module that updates the storage in the setting information memory module, based on the received setting information ([0010], ln. 19-24).

5. As to claim 3, Matsuda discloses a transmitter module that sends a transmission request of the setting information to said information processing device via the network ([0065], ln. 2-5).

6. As to claim 4, Matsuda discloses the transmission request includes the predetermined identification information ([0065], ln. 2-11; it is inherent in DHCP that a client's DHCP Discover, a request for configuration, includes the MAC address of the client).

7. As to claim 5, Matsuda discloses said transmitter module sends the transmission request in response to a requirement from said information processing device ([0041], ln. 2-6 and 16-20; a DHCP server requires that a client send a request for configuration in order to function correctly on the network).

8. As to claim 6, Matsuda discloses a search module that searches for a location of said information processing device on the network ([0041], ln. 6-11 and 20-33; a client searches by broadcasting DHCP Discovers across the network until a preferred DHCP server is found).

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9. As to claim 7, Matsuda discloses said information processing device is present at a certain location on the network, which is known to said network device ([0044], ln. 25-32).

10. As to claim 8, Matsuda discloses said transmitter module sends the transmission request on a start-up of said network device ([0065], ln. 2-5).

11. As to claim 9, Matsuda discloses the setting information includes transmission timing information regarding a timing of the transmission ([0062], ln. 5-7; it is inherent in DHCP that a client's configuration includes a lease time), and

said transmission module sends the transmission request based on the transmission timing information ([0062], ln. 5-7; it is inherent in DHCP that a client sends a renew request based on the lease time, which is sending a transmission request based on transmission timing information).

12. As to claim 11, Matsuda discloses the identification information is set in advance on shipment of said network device ([0064], ln. 4-8; a MAC address is set by the manufacturer).

13. As to claim 14, Matsuda discloses said network device is a printing device ([0033]).

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14. As to claims 15 and 16, the claims are rejected for the same reasons as claim 1 above.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 1 above, in view of Traversat et al. (Traversat), U.S. Patent No. 6,119,157.

17. As to claim 2, Matsuda does not disclose said update module selects the setting information mapped to the predetermined identification information for identifying said network device among the received setting information, when the received setting information includes setting information mapped to identification information allocated to another network device.

However, Traversat does disclose said update module selects the setting information mapped to the predetermined identification information for identifying said network device among the received setting information, when the received setting

information includes setting information mapped to identification information allocated to another network device (Col. 13, ln. 64 – Col. 14, ln. 1-9).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Matsuda by having a client select relevant update information as taught by Traversat in order to avoid the need for a server to determine a list of clients that desire or are relevant to an update and instead broadcast updates to appropriate clients.

18. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 3 above, in view of Parthesarathy et al. (Parthesarathy), U.S. Patent No. 6,353,926 B1.

19. As to claim 10, Matsuda does not disclose said transmitter module sends the transmission request, when said receiver module receives a notice showing that the setting information stored in said information processing device has been updated.

However, Parthesarathy does disclose said transmitter module sends the transmission request, when said receiver module receives a notice showing that the setting information stored in said information processing device has been updated (Col. 6, ln. 11-31).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Matsuda by sending a transmission request when a client receives a notice that there is an update as taught by Parthesarathy in order to

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provide the user with the option of deciding how an update should be handled (Parthesarathy, Col. 6, In. 11-31) as opposed to forcing undesired or unneeded updates on a client.

20. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda as applied to claim 1 above, in view of Sherer et al. (Sherer), U.S. Patent No. 6,115,376.

21. As to claim 12, Matsuda does not disclose the identification information is set after shipment of said network device.

However, Sherer does disclose the identification information is set after shipment of said network device (Col. 1, In. 48-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Matsuda by setting identification information after shipment of a network device as taught by Sherer in order to allow for uses such as transparent bridging where one end station forwards a packet for another end station transparently (Sherer, Col. 1, In. 66 – Col. 2, In. 6).

22. As to claim 13, Matsuda further discloses the identification information is set based on a location of said network device ([0064], In. 4-8; it is inherent that a MAC address contains an Organizationally Unique Identifier that identifies the network device

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based on its manufacturer, which may be interpreted as setting the identification information based on the location of the network device).

Conclusion

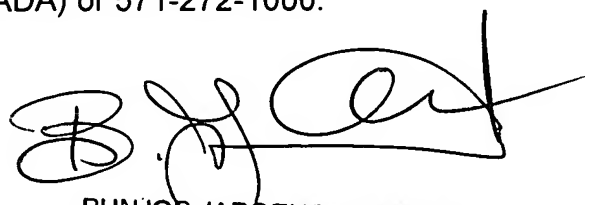
23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571)270-1244. The examiner can normally be reached on Mon-Thu (9:30 AM to 8 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571)272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BPW

Brian P. Whipple
2/20/07



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SUPERVISORY PATENT EXAMINER